

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

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APPALACHIAN RAILCAR  
SERVICES, INC.,

Plaintiff,

Case No. 1:05-cv-00790

v.

Chief Judge Paul L. Maloney

BOATRIGHT ENTERPRISES,  
INC., et al,

Defendants.

**ORDER**

The above action was terminated on April 10, 2008 and the appeal to the United States Court of Appeals was dismissed on November 3, 2008. However, it contains the following documents which were sealed by order of the Court:

104 - SEALED Exhibits B and C regarding Defendants' Reply Brief in Support of their Motion for Summary Judgment (docket #103) filed by Craig Allen, Consumers Energy Company, Boatright Enterprises, Inc., Shane Boatright, Matthew Beard on 10/29/07;

134 - SEALED Exhibit C regarding Supplemental Submission of Documents in Support of Defendants' Motion for Summary Judgment (docket #132) filed by Craig Allen, Consumers Energy Company, Boatright Enterprises, Inc., Shane Boatright, Matthew Beard on 02/08/08; and

136 - SEALED Exhibit H.1 regarding Plaintiff's Supplemental Filing in Opposition to Defendants' Motion for Summary Judgment (docket #131) filed by Appalachian Railcar Services, Inc. on 02/08/08.

WHEREAS, the Federal Archives and Records Center will not accept sealed records for storage,

IT IS HEREBY ORDERED that the parties show cause in writing within thirty (30) days of the date of this order, why the documents cannot be unsealed for eventual storage at the Archives.

Failure to respond will result in the documents being unsealed. The Court will not destroy or return records to the filer under any circumstances.

IT IS SO ORDERED.

Dated: June 11, 2010  
bd

/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District Judge